

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF AIR RESOURCES

In Re:

University of Rhode Island
Kingston, RI 02881

RECEIVED
FEB - 8 1995
OFFICE OF CAPITAL PROJECTS

In Reference to A.H. File No. 95-50-AP

CONSENT AGREEMENT

This Consent Agreement is entered by and between the Rhode Island Department of Environmental Management, Division of Air Resources (hereinafter "the Division"), and the University of Rhode Island, Kingston, RI 02881 (hereinafter "URI"), pursuant to the Rhode Island Clean Air Act, Title 23, Chapter 23 of the General Laws of the State of Rhode Island and Providence Plantations, as amended, and the Air Pollution Control Regulations adopted in accordance therewith, and the Department of Environmental Management Act, R.I.G.L. 42-17.1-2 et seq., and constitutes an alternative RACT determination pursuant to Section 27.4.8 of Air Pollution Control Regulation No. 27, entitled "Control of Nitrogen Oxides Emissions," effective 1 February 1994.

URI is regulated under Air Pollution Control Regulation No. 27. In order to assure that URI complies and/or continues to comply with the provisions of Air Pollution Control Regulation No. 27, the Division and URI hereby agree as follows:

1. That the Division has jurisdiction over the subject matter of this Consent Agreement and over the parties consenting to this Consent Agreement.

RECEIVED

MAR 11 1996

R.I. D.E.M.
DIV. OF AIR RESOURCES

2. That URI is subject to the provisions of Title 23, Chapter 23 of the Rhode Island General Laws, as amended, and the Air Pollution Control Regulations adopted in accordance therewith.
3. That the provisions of this Consent Agreement shall apply to, and be binding upon URI, its officers, directors, agents, servants, employees, operators, successors and assignees and persons, firms and corporations acting under, through and for it.
4. URI warrants that, at its Kingston facility, the following nitrogen oxides (hereinafter "NOx") emitting equipment is the only equipment subject to Air Pollution Control Regulation No. 27:

| <u>Boilers</u> | <u>Type of Fuel Combusted</u> | <u>Maximum Heat Input Capacity (mmBTU/hr)</u> |
|--------------------------------------|-----------------------------------|---|
| Boiler #3 (Power Plant) | #6 fuel oil, natural gas | 55 |
| Erie City Boiler (Power Plant) | #6 fuel oil, natural gas | 40 |
| Combustion Egr. Boiler (Power Plant) | #6 fuel oil | 20 |
| C.B. Boiler (White Hall) | #2 fuel oil | 2.5 |
| Hurst Boiler (White Hall) | #2 fuel oil | 4.2 |
| C.B. Boiler (Tootell Gym 1) | #4 fuel oil, natural gas | 12.6 |
| C.B. Boiler (Tootell Gym 2) | #4 fuel oil, natural gas | 12.6 |
| Smith Boiler (Faculty Apts.) | natural gas | 4.2 |
| Spencer Boiler (Sherman Building) | #4 fuel oil | 4.6 |

5. That URI shall not use Boiler #3 from 1 May through 31 September.
6. That URI shall cease all use of Boiler #3 on or before 1 January 1997.

7. That URI shall submit a report to the Division by 15 January 1996 and 15 January 1997. The report shall include the total fuel usage for Boiler #3 for the previous twelve months, as well as, a summary of the progress which has been made toward the permanent shut down of Boiler #3.
8. That should URI elect to install new steam generating units at the Kingston facility to replace Boiler #3, the new units shall be installed in compliance with all applicable air pollution control regulations, specifically Air Pollution Control Regulation No. 9, entitled "Air Pollution Control Permits."
9. That URI shall perform a tune-up on Boiler #3 on or before 31 May 1996, and each year of operation thereafter. The tune-up shall be performed in accordance with the procedure described in Appendix A of Air Pollution Control Regulation No. 27, and URI shall keep all required records.
10. That all other NO_x emitting sources at URI, including those listed in item 4, shall comply with RACT as specified in Air Pollution Control Regulation No. 27.
11. That URI shall comply with all applicable record keeping and reporting requirements contained in Section 27.6 of Air Pollution Control Regulation No. 27, as revised.

12. That all records required by this Consent Agreement and by Air Pollution Control Regulation No. 27 must be maintained by URI at the Kingston facility for a period of five years, and made available to representatives of the Division and United States Environmental Protection Agency upon request. Failure to maintain or produce the required records is a violation of this Consent Agreement.

13. That it is agreed and understood by the parties that the implementation of the requirements of this Consent Agreement does not relieve URI from compliance with any and all requirements of the Rhode Island Clean Air Act and applicable Air Pollution Control Regulations, or with any applicable Air Pollution Control Regulations that become effective and/or amended subsequent to the execution of this Consent Agreement.

14. That this Consent Agreement shall be deemed entered as of the date of execution by the parties hereto. The Director of the Department of Environmental Management may, however, for good cause shown, defer any of the compliance dates as prescribed herein upon a timely request to do so.

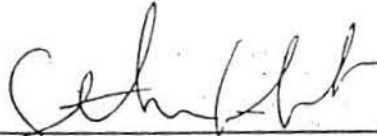
Consented to in Substance and in Form:

State of Rhode Island and Providence Plantations

Department of Environmental Management

For the Director:

12 MAR 96
Date



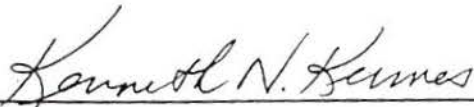
Stephen Majkut, Chief

Division of Air Resources

The University of Rhode Island hereby agrees to the above Consent Agreement, which becomes effective immediately upon being entered and issued.

Authorized Representative:

3/6/96
Date



Signature

VICE PRES. FOR BUSINESS & FINANCE
Title